



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112
Toll Free 1-877-601-2828 • E-mail: pdcc@pdcc.wa.gov • Website: www.pdcc.wa.gov

February 16, 2006

WHIL BASEA
101 BROWNS POINT BLVD
TACOMA WA 98422

Subject: Complaint filed against Officials of Metro Parks Tacoma and Victoria
Woodards – PDC Case No. 06-277

Dear Mr. Basea:

The Public Disclosure Commission (PDC) staff has completed its investigation of your complaint received October 12, 2005 alleging that officials of Metro Parks Tacoma and Victoria Woodards used public facilities to assist the campaign of Ms. Woodards, a candidate for Metro Parks Tacoma Commissioner, an alleged violation of RCW 42.17.130.

PDC staff reviewed the complaint in light of the following statute and rule:

RCW 42.17.130 prohibits elected officials and persons appointed to or employed by a public office or agency from using or authorizing the use of public facilities, directly or indirectly, for the purpose of assisting a candidate's campaign or for the promotion of, or opposition to, any ballot proposition. This prohibition does not apply to activities which are part of the normal and regular conduct of the office or agency.

WAC 390-05-273 defines "normal and regular conduct" as conduct which is (1) lawful, i.e., specifically authorized, either expressly or by necessary implication, in an appropriate enactment, and (2) usual, i.e., not effected or authorized in or by some extraordinary means or manner.

You alleged that officials of Metro Parks Tacoma and Victoria Woodards used the agency's facilities to assist the 2005 campaign of Parks Commissioner Victoria Woodards by mailing a brochure announcing a tour of parks facilities that featured Ms. Woodards' name and photo, and by sponsoring a newspaper announcement of the tour that also included Ms. Woodards' name.



We found that:

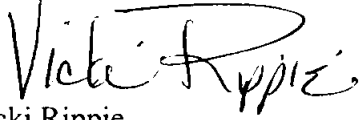
- Victoria Woodards was appointed to the Metro Parks Tacoma board of commissioners in 2004, and was a candidate in 2005 to retain her position. Ms. Woodards was elected as a Metro Parks Tacoma Commissioner on November 8, 2005.
- Officials of Metro Parks Tacoma conducted seven tours of the agency's facilities for members of the public in 2005. Each of the five members of the board of parks commissioners hosted at least one tour; Victoria Woodards hosted the final three of the seven tours.
- The staff and board members of Metro Parks Tacoma stated that it was difficult to secure the participation of a commissioner for every tour due to the commissioners' lack of interest or available time. However, the participation of every commissioner was solicited in person or via email either by Metro Parks Tacoma staff or Aaron Pointer, the president of the parks board.
- Victoria Woodards agreed to host more than one tour to make up for her earlier lack of involvement in parks board affairs due to the extended illness of a family member. She stated that she hosted her third tour because, through her involvement as a tour host, she became familiar with the participants in the tours and enjoyed being their host. There was no evidence that Ms. Woodards' increased involvement in the tours was engineered by Metro Parks Tacoma staff, or that this involvement assisted Ms. Woodards' campaign.
- Each of the 2005 tours of Metro Parks Tacoma facilities was publicized in virtually the same manner. For each tour, Metro Parks staff produced approximately 250 – 500 copies of a flyer announcing the tour for distribution to Metro Parks' community centers, citizen advisory councils and neighborhood councils. The flyers were not mailed. With the exception of the flyer produced for the initial tour, hosted by parks commissioner Jerry Thorpe on April 6, 2005, each of the flyers included a photo of the commissioner hosting the tour. For each tour, press releases were provided to the media. There was no evidence that the flyer or press release issued by Metro Parks Tacoma to announce the October 15, 2005 tour hosted by Victoria Woodards were outside the agency's normal and regular means of publicizing tours of its facilities.

No evidence was found or provided that officials of Metro Parks Tacoma or Ms. Woodards used or authorized the use of Metro Parks Tacoma facilities to assist the 2005 campaign of Ms. Woodards. After a careful review of the alleged violations and relevant facts, we have concluded our investigation and, with the concurrence of the Chair of the Public Disclosure Commission, I am dismissing your complaint against officials of Metro Parks Tacoma and Victoria Woodards. Officials of Metro Parks Tacoma, including Ms. Woodards, are being notified of this dismissal by separate letter.

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If you have questions, please feel free to contact Phil Stutzman, Director of Compliance,
at (360) 664-8853 or toll free at 1-877-601-2828.

Sincerely,

A handwritten signature in black ink, appearing to read "Vicki Rippie". The signature is fluid and cursive, with a large loop at the end of the last name.

Vicki Rippie
Executive Director